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09/587,097	06/02/2000	Mark Lavergne	3165A-000010	6167

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EXAMINER
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TODD, GREGORY G

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 01/15/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/587,097

Applicant(s)

LAVERGNE ET AL.

Examiner

Gregory G Todd

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Response to Amendment***

This is a second office action in response to applicant's amendment filed, 10 October 2003, of application filed, with the above serial number, on 02 June 2000 in which claims 2, 3, 13, 14, and 23 have been amended. Claims 1-28 are therefore pending in the application.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Collins et al (hereinafter "Collins", 6,553,418) in view of Maeda et al (hereinafter "Maeda", 6,571,153).

3. Collins teaches the invention substantially as claimed including a method and system for monitoring and managing a power system over a network (see abstract).

4. As per Claim 1, Collins discloses a remote user interface system to enable a remote browser application to monitor and control a power system of the type having one or more rectifier subsystems, one or more reserve power subsystems and one or more power distribution subsystems, wherein Collins discloses:

a monitor and control system coupled to said power system for obtaining operating state information from at least one of said subsystems and for providing operating state information to at least one of said subsystems (monitoring station) (at least col. 7, lines 19-34);

a data storage system associated with said monitor and control system for storing said state information (database) (at least Fig. 3); and

a user interface manager capable of accessing said data storage system and being operative to:

(a) an applet generating a user interface within said browser application for monitoring and controlling said electric power supply system (internet browser interface) (at least col. 7 line 64 - col. 8 line 9);

(b) supply selected state information to said applet for display by said remote browser within said user interface (monitoring station browser) (at least col. 7, lines 19-34); and

(c) receive data values generated by said applet in response to user interaction via said user interface and to communicate said data values to said data storage system for use in controlling said electric power system (data presented by database presented in graphical or tabular form) (at least col. 7, lines 35-62).

Collins fails to disclose, explicitly, the use of an executable applet to carry out the functions of the present invention. However, the use and advantages for using such an applet is well known to one skilled in the art at the time the invention was made as evidenced by the teachings of Maeda. Maeda discloses the use of Java for processing

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power output (at least Fig. 18; col. 26 line 64 - col. 27 line 16). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of an executable applet such as Java within Collins' browser as this is a standard and commonly known feature for a corporation to use to have a real-time internet enabled monitoring method.

5. As per Claim 2, 13.

wherein said user interface manager communicates with said applet using data packets compatible with an internet protocol (at least col. 4, lines 46-60).

6. As per Claim 3, 14.

wherein said user interface manager also supports a local user interface associated with said monitor and control system (monitoring station presenting in graphical data) (at least col. 7, lines 35-62).

7. As per Claim 4, 15.

wherein said user interface manager also supports a local user interface that includes a touchpad input mechanism for user interaction with the power system (keying in IP address(at least col. 7, lines 19-34; Fig. 1).

8. As per Claim 5, 16.

further wherein said user interface manager generates at least one display screen containing both static and dynamic content (real-time graphical data) (at least col. 7 line 35 - col. 8 lines 9).

9. As per Claim 6, 17.

wherein said dynamic content represents said state information (energy usage information) (at least col. 8, lines 21-31).

10. As per Claim 7, 18.

wherein said user interface manager generates at a plurality of display screens, at least a portion of which contain dynamic content representing said state information, and wherein at least one of said applet and said user interface manager generates hyperlinks connecting said dynamic content with other display screens (energy usage information aggregated from multiple locations) (at least Fig. 1; col. 7 line 35 - col. 8 line 9).

11. As per Claim 8, 19.

wherein said monitor and control system includes a rectifier monitor and control module for obtaining operating state information from at least one of said rectifier subsystems (at least col. 4, lines 2-21; col. 6, lines 17-35).

12. As per Claim 9, 20.

wherein said monitor and control system includes a reserve monitor and control module for obtaining operating state information from batteries attached to said power system (ups) (at least col. 4, lines 2-21; col. 6, lines 17-35).

13. As per Claim 10, 21.

wherein said monitor and control system includes a distribution monitor and control module for obtaining operating state information from said power distribution subsystem (at least col. 4, lines 2-21; col. 6, lines 17-35).

14. As per Claim 11, 22.

wherein said remote browser application is an internet web browser application (at least col. 7 line 64 - col. 8 line 9).

15. As per Claim 12, Collins discloses a remote user interface system to enable a remote browser application to monitor and control a power system, wherein Collins discloses:

a monitor and control system coupled to said power system for obtaining operating state information about said power supply system and for providing operating state information to said power system (monitoring station) (at least col. 7, lines 19-34);

a data storage system associated with said monitor and control system for storing said state information (database) (at least Fig. 3); and

a user interface manager capable of accessing said data storage system and being operative to provide an applet to said remote browser application, the applet generating a user interface within said browser application for monitoring and controlling said power system (internet browser interface) (at least col. 7 line 64 - col. 8 line 9).

Collins fails to disclose, explicitly, the use of an executable applet to carry out the functions of the present invention. However, the use and advantages for using such an applet is well known to one skilled in the art at the time the invention was made as evidenced by the teachings of Maeda. Maeda discloses the use of Java for processing power output (at least Fig. 18; col. 26 line 64 - col. 27 line 16). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of an executable applet such as Java within Collins' browser as this

is a standard and commonly known feature for a corporation to use to have a real-time internet enabled monitoring method.

16. As per Claim 23, Collins discloses a method of controlling a telecommunications power system, as Collins discloses;

delivering an applet to a browser application running on a computer that communicates with said telecommunications power system via a network (at least col. 7, lines 19-34; Fig. 1);

using a processor powered by said telecommunications power system to obtain operating state information about said telecommunications power system (at least col. 7, lines 35-63; Fig. 1);

communicating said state information to said applet via said network (data presented by database presented in graphical or tabular form) (at least col. 7, lines 35-63);

sending control information generated by said applet to said processor via said network; and using said control information to change the operating state of said telecommunications power system (controlling generator over network) (at least col. 2, lines 37-52).

Collins fails to disclose, explicitly, the use of an executable applet to carry out the functions of the present invention. However, the use and advantages for using such an applet is well known to one skilled in the art at the time the invention was made as evidenced by the teachings of Maeda. Maeda discloses the use of Java for processing power output (at least Fig. 18; col. 26 line 64 - col. 27 line 16). Therefore, it would have



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been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of an executable applet such as Java within Collins' browser as this is a standard and commonly known feature for a corporation to use to have a real-time internet enabled monitoring method.

17. As per Claim 24.

using said processor to store said state information in a database administered by said processor (database) (at least Fig. 3).

18. As per Claim 25.

using said processor to store said control information in a database administered by said processor (database engine) (at least col. 8, lines 32-48; Fig. 3).

19. As per Claim 26.

generating a user interface display within said browser application that includes said state information (monitoring station presenting in graphical data form in browser) (at least col. 7, lines 35-62).

20. As per Claim 27.

generating a user interface display within said browser application that includes static information and dynamic information, the dynamic information being based on said state information (real-time graphical data) (at least col. 7 line 35 - col. 8 lines 9).

21. As per Claim 28.

wherein said applet generates a plurality of display screens in which at least a portion of said dynamic information on one of said display screens defines a hyperlink

relationship with another of said display screens (energy usage information aggregated from multiple locations) (at least Fig. 1; col. 7 line 35 - col. 8 line 9)..

### ***Response to Arguments***

22. Applicant's arguments filed 10 October 2003 have been fully considered but they are not persuasive.

The Applicants argue, substantially, that Collins a) fails to disclose namely, controlling the energy monitoring devices; b) fails to disclose providing operating state information to the energy monitoring devices; c) does not disclose a user interface manager to receive data values generated by said applet in response to user interaction via said user interface and to communicate said data values to said data storage system for use in controlling said electric power system.

23. In response to a); Collins clearly discloses a database engine monitoring energy usage over the network in real-time, at which point when energy consumption information received reaches a threshold value (ie. operating state information received), a power system of the type having one or more rectifier subsystems, one or more reserve power subsystems and one or more power distribution subsystems, in this case a generator coupled to the network, can be controlled via activation to supply additional energy resources according to the monitored data (see Collins, col. 8, lines 10-48, as previously cited in accordance with dependent controlling claims {also claim 23}, as claim 1, 12 do not go into detail over control of power systems).

24. In response to b); Similarly to a), Collins discloses communicating the operating state to control one of the subsystems, namely the generator, via automatically turning on the operating state and activating the generator according to monitored information indicating the status in need of being changed.

25. In response to c); Similarly to above, Collins discloses an interface for an operator to observe monitored values. The energy information and control system of Collins is used for real-time observation and control of the monitored systems. When the monitored values reach a certain determined threshold an alarm may be activated at which point the operator has a chance to objectively activate, in this case, a generator according to the supplied data over the network (see Collins, col. 8, lines 10-48).

### ***Conclusion***

26. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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27. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Newly cited Sneeringer and Motoyama et al in addition to previously cited Yablonowski et al, Hart, Fitzgerald, Montgomerie et al, McNamara et al, Wookey, and Budike, Jr. are cited for disclosing pertinent information related to the claimed invention. Applicants are requested to consider the prior art reference for relevant teachings when responding to this office action.

28. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory G Todd whose telephone number is (703)305-5343. The examiner can normally be reached on Monday - Friday 9:00am-6:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703)308-7562. The fax phone number for the organization where this application or proceeding is assigned is (703)872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

Gregory Todd 

Patent Examiner

Technology Center 2100

  
ARIO ETIENNE  
SUPERVISORY PATENT EXAMINER  
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